



STATE BOARD OF EQUALIZATION STAFF LEGISLATIVE BILL ANALYSIS

Date Introduced:	January 18, 2000	Bill No:	AB 1759
Tax:	Administration	Author:	Papan
Board Position:		Related Bills:	

BILL SUMMARY:

This bill would require each state agency that establishes and maintains an Internet web site to list all reports and studies on its Internet site.

ANALYSIS:

Current Law

The California Public Records Act (PRA) provides that every person has a right to inspect any public record unless the record is exempt from disclosure as provided by law. The PRA also provides that each agency shall provide copies of disclosable public records upon request as specified.

Proposed Law:

This bill would add Section 6253.1 to the Government Code requiring each state agency that maintains an Internet web site to list on its Internet site all reports and studies initiated by the agency. As defined in this section, the reports and studies would include, but are not limited to, opinion polls, surveys, and research projects.

This bill would require every completed report and study, including those pending, to be listed on an agency's Internet site not more than 10 days after the completion of, or, after the initiation of a pending report or study.

COMMENTS:

1. **Sponsor and intent.** This bill is sponsored by the author's office, who has indicated that the intent of this bill is to ensure that the California Public Records Act requires the disclosure of certain records, specifically, research projects, opinion polls, and surveys.

This staff analysis is provided to address various administrative, cost, revenue and policy issues; it is not to be construed to reflect or suggest the Board's formal position.

2. **“Although It Has Not Withheld or Timed Inappropriately the Release of Study Results, the Department Needs to Make This Information More Accessible to the Public”**, was the report title of an audit that was prepared by the Bureau of State Audits in October 1999 (audit number 99106), regarding the Department of Health Services. The department became the subject of controversy when it did not release a 1998 survey that it prepared. Although the audit revealed that the department did not withhold information inappropriately, it was the opinion of the State Auditor that the department could reduce its exposure to such allegations by making its information more accessible to the public by having such information available on the department's web site.
3. **The Board of Equalization's Internet web site offers a variety of services and information to the public.** These services and information include, but are not limited to, Legislation, Tax Programs, Forms & Publications, Public Meeting Notices & Schedules, News Releases, Seller's Permit Verification, CA City & County Sales & Use Tax Rates, and Electronic Services. Currently, however, it does not provide research information pertaining to studies and surveys that are prepared by the Board.

COST ESTIMATE:

The proposed legislation appears to have minimal effect on the Board's operations or budget.

REVENUE ESTIMATE:

No impact.

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